

U.S.A.

Jesus Velasquez-HernandezNo. 08mj185

The Court is in excludable delay, under the section indicated by check (✓), commenced on 1-23-08 and ended on 1-28-08. ()

3161(h)(1) (A)**Examination for mental or physical incapacity**(1) (B)**NARA examination (28:2902)**(1) (D)**State or Federal trials or other charges pending**(1) (E)**Interlocutory appeals**(1) (F)**Pretrial motions (from flg to hrg or other prompt dispo)**(1) (G)**Transfers from other district (per FRCrP 20, 21 & 40)**(1) (J)**Proceedings under advisement** not to exceed thirty days **Misc proc: Parole or prob rev, deportation, extradition**(1) (H)**Transportation** from another district or to/from examination or hospitalization in ten days or less(1) (I)**Consideration by Court of proposed plea agreement**(2)**Prosecution deferred** by mutual agreement✓ (3) (A) (B)**Unavailability of defendant or essential witness**(4)**Period of mental or physical incompetence** of defendant to stand trial(5)**Period of NARA commitment or treatment**(6)**Superseding indictment and/or new charges**(7)**Defendant awaiting trial of co-defendant** when no severance has been granted(8) (A) (B)**Continuances** granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance(8) (B) (I)

1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - miscarriage of justice)

2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - tendered a guilty plea)

 2) **Case unusual or complex** 3) **Indictment** following arrest **cannot be filed** in thirty (30) days 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance re counsel) **3161(I)** Time up to **withdrawal of guilty plea** **3161(b)** **Grand jury indictment time extended** thirty (30) more daysDate 1/23/08

Judge's Initials
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